



PATENT  
Attorney Docket No. MDS-020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Costa et al.  
SERIAL NO.: 09/738,612 GROUP NO.: 2633  
FILING DATE: December 15, 2000 EXAMINER: Not yet assigned  
TITLE: System for Normalizing Spectra

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

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REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

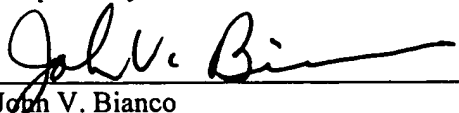
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: October 04, 2001  
Reg. No. 36,748

Tel. No.: (617) 248-7870  
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2191187

Respectfully submitted,

  
John V. Bianco

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## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	3,013,467	12/19/61	Minsky	88	14	
	A2	3,809,072	5/7/74	Ersek et al.	128	23	
	A3	4,017,192	4/12/77	Rosenthal et al	356	201	
	A4	4,198,571	4/15/80	Sheppard	250	571	
	A5	4,254,421	3/3/81	Kreutel, Jr.	343	754	
	A6	4,357,075	11/2/82	Hunter	350	294	
	A7	4,397,557	8/9/83	Herwig et al.	356	342	
	A8	4,662,360	5/5/87	O'Hara et al.	128	9	
	A9	4,733,063	3/22/88	Kimura et al.	250	201	
	A10	4,741,326	5/3/88	Sidall et al.	128	4	
	A11	4,753,530	6/28/88	Knight et al.	356	73	
	A12	4,768,513	9/6/88	Suzuki	128	634	
	A13	4,844,617	7/4/89	Kelderman et al.	356	372	
	A14	4,845,352	7/4/89	Benschop	250	201	
	A15	4,852,955	8/1/89	Doyle et al.	350	1.2	
	A16	4,877,033	10/31/89	Seitz, jr.	128	660.05	
	A17	4,878,485	11/07/89	Adair	128	6	
	A18	4,891,829	1/2/90	Deckman et al.	378	4	
	A19	4,930,516	6/5/90	Alfano et al.	128	665	
	A20	4,945,478	7/31/90	Merickel et al.	364	413.22	
	A21	4,965,441	10/23/90	Picard	250	201.3	
	A22	4,972,258	11/20/90	Wolf et al.	358	93	
	A23	4,974,580	12/04/90	Anapliotis	128	4	
	A24	4,979,498	12/25/90	Oneda et al.	128	6	
	A25	4,997,242	3/5/91	Amos	350	6.91	
	A26	5,003,979	4/2/91	Merickel et al.	364	413.22	
	A27	5,011,243	4/30/91	Doyle et al.	350	1.2	

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	A28	5,022,757	6/11/91	Modell	356	318	
	A29	5,028,802	7/2/91	Webb et al.	250	571	
	A30	5,032,720	7/16/91	White	250	236	
	A31	5,034,613	7/23/91	Denk et al.	250	458.1	
	A32	5,036,853	8/6/91	Jeffcoat et al.	128	634	
	A33	5,042,494	8/27/91	Alfano	128	665	
	A34	5,054,926	10/8/91	Dabbs et al.	356	345	
	A35	5,065,008	11/12/91	Hakamata et al.	250	216	
	A36	5,071,246	12/10/91	Blaha et al	351	221	
	A37	5,074,306	12/24/91	Green et al.	128	664	
	A38	5,083,220	1/21/92	Hill	359	234	
	A39	5,091,652	2/25/92	Mathies et al.	250	458.1	
	A40	5,120,953	6/9/92	Harris	250	227.20	
	A41	5,122,653	6/16/92	Ohki	250	216	
	A42	5,132,526	7/21/92	Iwasaki	250	201.3	
	A43	5,139,025	8/18/92	Lewis et al.	128	665	
	A44	5,154,166	10/13/92	Chikama	128	4	
	A45	5,159,919	11/03/92	Chikama	128	4	
	A46	5,161,053	11/3/92	Dabbs	359	384	
	A47	5,162,641	11/10/92	Fountain	250	201.2	
	A48	5,162,941	11/10/92	Favro et al.	359	386	
	A49	5,168,157	12/1/92	Kimura	250	234	
	A50	5,192,980	3/9/93	Dixon et al.	356	326	
	A51	Re. 34,214	4/6/93	Carlsson et al.	358	93	
	A52	5,201,318	4/13/93	Rava et al.	128	665	
	A53	5,201,908	4/13/93	Jones	128	4	
	A54	5,225,671	7/6/93	Fukuyama	250	216	
	A55	5,235,457	8/10/93	Lichtman et al.	359	368	

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	A56	5,237,984	8/24/93	Williams, III et al.	128	4	
	A57	5,239,178	8/24/93	Derndinger et al.	250	234	
	A58	5,248,876	9/28/93	Kerstens et al.	250	561	
	A59	5,257,617	11/2/93	Takahashi	128	4	
	A60	5,260,569	11/9/93	Kimura	250	234	
	A61	5,260,578	11/9/93	Bliton et al.	250	461.1	
	A62	5,261,410	11/16/93	Alfano et al.	128	664	
	A63	5,262,646	11/16/93	Booker et al.	250	341	
	A64	5,274,240	12/28/93	Mathies et al.	250	458.1	
	A65	5,284,149	2/8/94	Dhadwal et al.	128	665	
	A66	5,286,964	2/15/94	Fountain	250	201.2	
	A67	5,294,799	3/15/94	Aslund et al.	250	458.1	
	A68	5,296,700	3/22/94	Kumagai	250	216	
	A69	5,303,026	4/12/94	Strobl et al.	356	318	
	A70	5,306,902	4/26/94	Goodman	250	201.3	
	A71	5,313,567	5/17/94	Civanlar et al	395	124	
	A72	5,319,200	6/7/94	Rosenthal et al.	250	341	
	A73	5,321,501	6/14/94	Swanson et al.	356	345	
	A74	5,324,979	6/28/94	Rosenthal	250	504R	
	A75	5,325,846	7/5/94	Szabo	128	4	
	A76	5,329,352	7/12/94	Jacobsen	356	301	
	A77	5,337,734	8/16/94	Saab	128	4	
	A78	5,343,038	8/30/94	Nishiwaki et al.	250	234	
	A79	5,345,306	9/6/94	Ichimura et al.	356	346	
	A80	5,398,685	3/21/95	Wilk et al.	128	653.1	
	A81	5,402,768	4/4/95	Adair	128	4	
	A82	5,406,939	4/18/95	Bala	128	4	
	A83	5,413,092	5/9/95	Williams, III et al.	128	4	

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EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A84	5,413,108	5/9/95	Alfano	128	665
	A85	5,415,157	5/16/95	Welcome	128	4
	A86	5,418,797	5/23/95	Bashkansky et al.	372	3
	A87	5,419,311	5/30/95	Yabe et al.	128	4
	A88	5,421,337	6/6/95	Richards-Kortum et al.	128	665
	A89	5,421,339	6/6/95	Ramanujam et al.	128	665
	A90	5,451,931	9/19/95	Muller et al.	340	630
	A91	5,458,132	10/17/95	Yabe et al.	128	4
	A92	5,458,133	10/17/95	Yabe et al.	600	121
	A93	5,477,382	12/19/95	Pernick	359	559
	A94	5,480,775	1/2/96	Ito et al.	435	7.2
	A95	5,493,444	2/20/96	Khoury et al.	359	559
	A96	5,507,295	4/16/96	Skidmore	600	121
	A97	5,516,010	5/14/96	O'Hara et al.	600	122
	A98	5,529,235	6/25/96	Bolarski et al.	227	175.1
	A99	5,536,236	7/16/96	Yabe et al.	600	125
	A100	5,545,121	8/13/96	Yabe et al.	600	121
	A101	5,551,945	9/3/96	Yabe et al.	600	122
	A102	5,556,367	9/17/96	Yabe et al.	600	124
	A103	5,587,832	12/24/96	Krause	359	385
	A104	5,596,992	1/28/97	Haaland et al.	128	664
	A105	5,609,560	3/11/97	Ichikawa et al.	600	101
	A106	5,623,932	4/29/97	Ramanujam et al.	128	665
	A107	5,662,588	9/2/97	Lida	600	121
	A108	5,685,822	11/11/97	Harhen	600	125
	A109	5,693,043	12/2/97	Kittrell et al.	606	15
	A110	5,695,448	12/9/97	Kimura et al.	600	121
	A111	5,704,892	1/6/98	Adair	600	121

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EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A112	5,707,343	1/13/98	O'Hara et al.	600	121	
	A113	5,713,364	2/3/98	DeBaryshe et al.	128	664	
	A114	5,730,701	3/24/98	Furukawa et al.	600	127	
	A115	5,733,244	3/31/98	Yasui et al.	600	127	
	A116	5,746,695	5/5/98	Yasui et al.	600	127	
	A117	5,768,333	6/16/98	Abdel-Mottaleb	378	37	
	A118	5,769,792	6/23/98	Palcic et al.	600	477	
	A119	5,795,632	8/18/98	Buchalter	428	35.2	
	A120	5,800,350	9/1/98	Coppleson et al.	600	372	
	A121	5,807,248	9/15/98	Mills	600	322	
	A122	5,813,987	9/29/98	Modell et al.	600	473	
	A123	5,817,015	10/6/98	Adair	600	121	
	A124	5,833,617	11/10/98	Hayashi	600	476	
	A125	5,855,551	1/5/99	Sklandnev et al.	600	372	
	A126	5,860,913	1/19/99	Yamaya et al.	600	127	
	A127	5,865,726	2/2/99	Katsurada et al.	600	127	
	A128	5,876,329	3/2/99	Harhen	600	125	
	A129	6,104,945	8/15/00	Modell et al.	600	473	
	A130	6,119,031	9/12/00	Crowley	600	407	
	A131	6,146,897	11/14/00	Cohenford et al.	436	63	
	A132	6,169,817 B1	1/2/01	Parker et al.	382	131	

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## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	1 223 092	4/7/86	SU				In English	N
	B2	0 135 134	3/27/85	EP					Y
	B3	0 280 418	8/31/88	EP					Y
	B4	0 335 725	10/4/89	EP					Y
	B5	0 474 264	3/11/92	EP					Y
	B6	0 641 542	3/8/95	EP					Y
	B7	0 689 045 A1	12/27/95	EP					Y
	B8	WO 93/14688	8/5/93	PCT					Y
	B9	WO 94/26168	11/24/94	PCT					Y
	B10	WO 95/04385	2/9/95	PCT					
	B11	WO 97/05473	2/13/97	PCT					Y
	B12	WO 98/30889	2/13/97	PCT					Y
	B13	WO 98/41176	9/24/98	PCT					

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<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>			
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>		
	C1	P. Davidovits et al. "Scanning Laser Microscope for Biological Investigations", Applied Optics, Vol. 10, No. 7, pp. 1615-1619, July 1971.	
	C2	C.J.R. Sheppard et al. "Depth of Field in the Scanning Microscope", Optics Letters, Vol. 3, No. 3, September 1978, pp. 115-117.	
	C3	C.J. Koester, "Scanning Mirror Microscope with Optical Sectioning Characteristics: Applications in Ophthalmology", Applied Optics, Vol. 19, No. 11, June 1980, pp. 1749-1757.	
	C4	T. Wilson., "The Role of the Pinhole in Confocal Imaging Systems", Confocal Microscopy Handbook, pp. 99-113.	
	C5	C. Koester, "Comparison of Optical Sectioning Methods: The Scanning Slit Confocal Microscope", Confocal Microscopy Handbook, pp. 189-194.	
	C6	Jeffrey W. Hall, et al. "Near-Infrared Spectrophotometry: A New Dimension in Clinical Chemistry", Clin. Chem 38/9, 1623-1631 (1992).	
	C7	Kevin T. Schomacker, et al. "Ultraviolet Laser-Induced Fluorescence of Colonic Tissue; Basic Biology and Diagnostic Potential", Lasers in Surgery and Medicine, 12: 63-78, (1992).	
	C8	S. Schwartz, "Real-time laser-scanning Confocal ratio imaging", American Laboratory, pp. 53-62 April 1993.	
	C9	R. Richards-Kortum et al. "Description and Performance of a Fiber-optic Confocal Fluorescence Spectrometer, Applied Spectroscopy, Vol. 48, No. 3 pp. 350-355. (1994).	
	C10	J.M. Schmitt et al. "Interferometric Versus Confocal Techniques for Imaging Microstructures in Turbid Biological Media", Proc. SPIE, 2135 (1994), pp. 1-12.	
	C11	N. Ramanujam et al. "Fluorescence Spectroscopy; A Diagnostic Tool for Cervical Intraepithelial Neoplasia (CIN), Gynecologic Oncology 52, pp. 31-38 (1994).	
	C12	S.G. Anderson, "Confocal Laser Microscopes See A Wider Field of Application", Laser Focus World, pp. 83-86, February 1994.	
	C13	J.M. Schmitt et al. "Confocal Microscopy in Turbid Media", J. Opt. Soc. Am., Vol. 11, pp. 2225-2235, August 1994.	
	C14	N. Ramanujam et al. "In vivo diagnosis of cervical intraepithelial neoplasia using 337-nm-excited laser-induced fluorescence", Pro. Natl. Acad. Sci. USA, Vol. 91, pp. 10193-10197, October 1994.	

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